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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TERESA MACCLELLAND, *Et Al.*,
For Themselves, As Private Attorneys
General, and On Behalf Of All Others
Similarly Situated,

Plaintiffs,

v.

CELLCO PARTNERSHIP
D/B/A VERIZON WIRELESS; and
VERIZON COMMUNICATIONS INC.,

Defendants.

Case No. 3:21-cv-08592-EMC

**STIPULATION AND ~~PROPOSED~~
ORDER OF DISMISSAL**

[Hon. Edward M. Chen]

STIPULATION OF DISMISSAL

Plaintiffs Teresa MacClelland, Karen Umberger, Scott Willits, Michael Branom, Molly Brown, Michael Carney, Tim Frasch, Patricia Gagan, Anna Gutierrez, Linda Jenkins, Augustus Johnson, William Kaupelis, Marilyn Kaye, Janette Lisner, William Eric Lough, David Massaro, Louise Monsour, Darleen Perez, Gabrielle Pozzuoli, Valerie Reed, Bruce Schramm, Kerry Showalter, John St. Jarre, Gloria Stern, Edna Toy, Teresa Toy, and Vanessa West, for themselves, as private attorneys general, and on behalf of all others similarly situated (collectively, Plaintiffs) and Defendants Cellco Partnership d/b/a Verizon Wireless and Verizon Communications Inc. (collectively, Verizon) hereby STIPULATE and AGREE as follows:

WHEREAS, Plaintiffs filed this class action on November 3, 2021 (Dkt. No. 1), and Plaintiffs' operative pleading is the Second Amended Complaint filed on July 20, 2022 (Dkt. No. 58);

WHEREAS, a nationwide Settlement Agreement involving parallel claims was filed, granted preliminarily approval and granted final approval in the proceeding captioned *Dean Esposito, et al. v. Cellco Partnership d/b/a Verizon Wireless*, Docket No. MID-L-6360-23, in the Superior Court of the State of New Jersey for Middlesex County (*Esposito*);

WHEREAS, the *Esposito* court granted preliminary certification of a settlement class and then later granted final certification of a settlement class;

WHEREAS, the Effective Date of the *Esposito* settlement was September 20, 2024—the date on which the last remaining appeal of the order granting final approval was withdrawn;

WHEREAS, Section X.D. of the Settlement Agreement requires that this *MacClelland* civil action be dismissed with prejudice no later than seven days following the Effective Date;

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NOW, THEREFORE, Plaintiffs and Verizon respectfully request that this Court enter an order dismissing the Second Amended Complaint and this civil action with prejudice.

Dated: September 26, 2024

Respectfully submitted,

DENITTIS OSEFCHEN PRINCE, P.C.

By: /s/ Stephen P. DeNittis

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Inc.*

ORDER OF DISMISSAL

For good cause shown, the Court hereby dismisses with prejudice the Second Amended Complaint and this civil action. The Court hereby instructs the Clerk of Court to close this file.

DATED: September 27, 2024



HON. EDWARD M. CHEN
Judge of the U.S. District Court